

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT REEVES,

Plaintiff,

Case No. 4:24-cv-11653

District Judge Shalina D. Kumar

Magistrate Judge Kimberly G. Altman

v.

STEPHENY FLOREK,
BETH ROBINSON, CLARENCE
KELLY, C/O JOHN DOE, and
ALINDA FLOREK,

Defendants.

**ORDER DENYING AS MOOT PLAINTIFF'S MOTION TO COMPEL
STEPHENY FLOREK'S ADDRESS TO BE [SERVED] BY THE U.S.
MARSHAL AND EXTENSION OF TIME TO SERVE HER PERSONALLY
(ECF No. 21)**

I.

This is a prisoner civil rights case. Plaintiff Robert Reeves (Reeves), proceeding *pro se*, filed a complaint against Stepheny Florek, Beth Robinson, Clarence Kelly, John Doe, and Alinda Florek. See ECF No. 1. Under 28 U.S.C. § 636(b)(1), all pretrial matters have been referred to the undersigned. (ECF No. 13). Before the Court is Reeves's Motion to Compel Stepheny Florek's Address To Be [Served] By The U.S. Marshal And Extension Of Time To Serve Her

Personally. (ECF No. 21). For the reasons that follow, the motion will be DENIED AS MOOT.

II.

Reeves filed the complaint on June 26, 2024. (ECF No. 1). The case was then stayed and referred to the Court's early mediation program. (ECF No. 6). Thereafter, the Michigan Department of Corrections (MDOC) filed a motion to exclude the case from the program, (ECF No. 7), which was granted, (ECF No. 8). Reeves's request for reconsideration was denied. (ECF No. 11). The complaint was then directed to be served by the U.S. Marshals, who acknowledged receipt of service documents on August 8, 2024. (ECF No. 12). On August 25, 2024, waivers of service were returned executed for Robinson, Kelly, and Alinda Florek. (ECF Nos. 14, 15, 16).¹ On August 27, 2024, the Court directed the MDOC to provide the address for Stepheny Florek for service. (ECF No. 17). It appears that Stepheny Florek was served because a certificate of service was returned to the Court on September 18, 2024. (ECF No. 20). Then, on October 1, 2024, Reeves filed the instant motion. (ECF No. 21).

¹ These defendants have filed a motion for summary judgment on the grounds of exhaustion, (ECF No. 25), to which Reeves was directed to file a response by November 12, 2024. (ECF No. 26). Reeves has filed a response. (ECF No. 27).

In light of the above, with the Court directing the MDOC to provide Stepheny Florek's address to the Marshal for service and it appearing that service has been made on Stepheny Florek, Reeves' motion is DENIED AS MOOT.

SO ORDERED.

Dated: November 7, 2024
Detroit, Michigan

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 7, 2024.

s/Julie Owens
Case Manager